



**HUMAN RESOURCES OFFICE  
TECHNICIAN / AGR ADMINISTRATIVE INSTRUCTION**

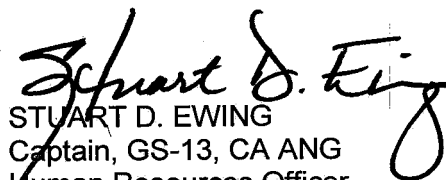
**Number: 08-55**

**18 December 2008**

**FIVE DAYS EXCUSED ABSENCE FOR TECHNICIANS  
RETURNING FROM ACTIVE DUTY—REVISED**

**EXPIRES: No expiration**

1. The California National Guard Fulltime Personnel Regulations 353, Uniformed Services Employment and Reemployment Rights Act (USERRA) PL 103-353, paragraph 17(a), Use of Five Day Excused Absence, previously stated, "In November 2003, the President directed agencies to grant Federal employees returning from Title 10 military duty in connection with Operation Iraqi Freedom, Operation Enduring Freedom, Operation Noble Eagle, or any military operation subsequently established under Executive Order 13223, five days of excused absence. The Five Day Excused Absence is available for each time a Technician returns to duty (RTD) from such military service."
2. Effective immediately, the Office of Personnel Management has provided further guidance and direction for Federal Agencies to grant their employees five days of excused absence each time they return to duty from such military operations in connection with or subsequently established under Executive Order 13223, as long as the following criteria are met:
  - a. Servicemembers must have spent at least 42 or more consecutive days in active military service. An accumulation of 42 or more days does not constitute eligibility for the Five Day Excused Absence. For example, if Technicians serve on active military service for 30 days in January, then serve another 15 days of service in May, they are not eligible to receive the five days of leave, as the service time was accumulated and not consecutive.
  - b. The authorization and issuance of the five days is limited to one time per every 12-month period. The 12-month period begins on the first day of the excused absence and ends 365 days later.
3. All other stipulations surrounding the Five Day Excused Absence still apply and can be referenced in the CNGFPR 353, at <http://www.calguard.ca.gov/cahr/Pagtes/Publications.aspx>.
4. Questions may be directed to 2LT William Anderson, Human Resources Specialist, at CAGNET 6-3256, DSN 466-3256, (916) 854-3256, or email at [william.l.anderson1@us.army.mil](mailto:william.l.anderson1@us.army.mil).

  
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